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PROPOSED PROGRAMME BUDGET FOR THE BIENNIUM 1994-1995

United Nations Special Coordinator in the Occupied Territories

Report of the Advisory Committee on Administrative and Budgetary Questions

1. The Advisory Committee on Administrative and Budgetary Questions has considered the report of the Secretary-General (A/C.5/48/71) on revised estimates under sections 3, 4 and 11A of the programme budget for the biennium 1994-1995 relating to the United Nations Special Coordinator in the Occupied Territories. During the consideration of the report, the representatives of the Secretary-General provided additional information to the Advisory Committee.

2. The Advisory Committee notes with concern that the report of the Secretary-General was presented late and became available, as an advance text in English only, to the members of the Advisory Committee on the evening of 30 March 1994, immediately before consideration. Under the circumstances, the Committee did not have enough time to analyse the report of the Secretary-General as it would normally have done and is not, therefore, in a position to present, at this stage, its detailed recommendations concerning all aspects of the report.

3. The Secretary-General in paragraphs 1 to 5 of his report, provides background information on the subject: paragraphs 6 to 11 outline the orientation of the programme and describe the activities to be implemented during the biennium 1994-1995; paragraphs 12 to 22 contain information on resource requirements; and paragraphs 23 to 25 deal with the procedures relating to the operation of the contingency fund.

4. In paragraph 6 of his report, the Secretary-General states, inter alia, that "in view of the mandates of UNRWA, UNDP and UNICEF and the nature of their respective operations, the Secretary-General believes that it would be inappropriate to designate one as the 'lead agency' ..." and that, "given the complexity and sensitivity of the situation in the region and the multiplicity of factors outside the United Nations system which will be involved during the

transitional phase, it will be necessary to establish a specific mechanism to ensure effective coordination and intensification of international assistance to the Palestinians in the occupied territories to meet their immediate and longer-term needs". The Secretary-General continues therein to conclude that "... the establishment of such a mechanism is urgently required".

5. In this connection, the Committee notes that the analysis of the Secretary-General that led to the above conclusion would have been more informative had it outlined in a more detailed way the substantive roles to be played and the goals to be achieved by the United Nations system as a whole and the coordinating role of the United Nations. The Committee believes that care should be taken not to duplicate existing mechanisms and that a better definition is needed of the role of the Coordinator and the scope of his activities. The report of the Secretary-General should also have contained the following information:

(a) The limitations which currently affect the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), the United Nations Development Programme (UNDP), and the United Nations Children's Fund (UNICEF) in the provision of assistance to the Palestinians and practical measures to be taken by the Special Coordinator in order to overcome them;

(b) The possibilities for UNRWA, UNDP, UNICEF and other regional and international bodies to provide staff and other administrative support to the Special Coordinator;

(c) The mandate and role of the Ad Hoc Liaison Committee for Coordination of International Assistance to the Palestinians;

(d) The delineation of authority with regard to the administration and/or coordination of available financial resources.

The Advisory Committee requests the Secretary-General to submit, by 31 May 1994, a comprehensive report on the above questions and on all practical measures that are necessary to ensure a unified and coherent approach in the provision of economic, social and other assistance in the occupied territories.

6. In paragraph 7 of his report, the Secretary-General indicates, inter alia, that he "... intends to appoint a Special Coordinator who would serve as a focal point for all United Nations economic, social and other assistance to the Palestinians in the occupied territories".

7. The Secretary-General states in paragraph 10 of his report that the Special Coordinator would be appointed at the assistant secretary-general level effective immediately; he would be stationed in the occupied territories, with an emphasis on Gaza, and the duration of his appointment would be limited and would not exceed the time required for the implementation of the Declaration of Principles. Accordingly, the Advisory Committee recommends the establishment of a temporary assistant secretary-general post for the Special Coordinator.

8. Resource requirements amounting to a total of $2,874,500 gross, including the post of the Special Coordinator, which relate to the discharge by the

Special Coordinator of his mandate, are outlined in paragraphs 12 to 22 of the report of the Secretary-General and are estimated by him as follows:

(a) Staff requirements ($1,963,700): One assistant secretary-general and five Professional posts, including one D-1 post for a Chief of the Office of the Special Coordinator, one P-5 post for the coordination of international assistance programmes, one P-4 post for the implementation of all aspects of the programme of training of the Palestinian police force, one P-3 post for an assistant to the P-4 officer, one P-3 post for an officer who would assist the Chief of the Office and three General Service posts;

(b) Non-post requirements ($910,800): mission subsistence allowance ($241,500), general temporary assistance for four local staff ($254,300), travel of the Special Coordinator and his staff ($100,000) and general operating expenses ($315,000).

9. The Secretary-General proposes in paragraph 15 of his report to finance the above staff requirements in part through the redeployment of one P-4 post from section 11A of the programme budget, the United Nations Conference on Trade and Development, and two P-3 posts from section 3, Political affairs, with the corresponding transfer to section 4, Peace-keeping operations and special missions, of $215,100 from section 11A and $291,100 from section 3. The Advisory Committee notes, in this regard, that the report of the Secretary-General does not contain information on the implications of the proposed redeployments on the activities from which the posts would be redeployed. Without such information the Committee is not in a position to recommend the redeployment at this time.

10. The Advisory Committee believes that the Special Coordinator should have a core staff and operational resources in order to start successfully discharging his mandate. The Committee recommends, therefore, that one D-1, one P-5 and one General Service temporary post be established for the period from 1 April 1994 to 31 December 1995.

11. At the same time the Committee notes that, in its view, non-post requirements amounting to a total of $910,800 might be somewhat overestimated under general temporary assistance and travel and should be justified in detail in the report requested in paragraph 5 above.

12. In the light of the above observations and recommendations, the Advisory Committee recommends that the General Assembly authorize the commitment of up to $1,441,200 gross ($1,140,000 net) initially under section 4 of the programme budget for 1994-1995 in connection with the establishment of four temporary posts (1 assistant secretary-general, 1 D-1, 1 P-5 and 1 General Service post). In addition, the Advisory Committee recommends that the General Assembly authorize the Secretary-General to enter into commitments of up to $130,100 for the period from 1 April to 30 June 1994 in connection with non-post requirements as reflected in paragraph 8 above, pending the submission by the Secretary-General of the report requested in paragraph 5 above. The Committee intends to review proper placement in the budget of the estimates for the Special Coordinator in the light of the report requested in paragraph 5 above, taking into account the special nature and circumstances of this mission.

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ELIMINATION OF APARTHEID AND
ESTABLISHMENT OF A UNITED,
DEMOCRATIC AND NON-RACIAL
SOUTH AFRICA

SECURITY COUNCIL
Forty-ninth year

Letter dated 31 March 1994 from the Chairman of the Special Committee against Apartheid to the Secretary-General

In accordance with the programme of work of the Special Committee against Apartheid for 1994 and in my capacity as its Chairman, I undertook, together with a small delegation of the Committee, a mission to South Africa from 28 February to 6 March 1994. I have the honour to enclose herewith the report of the mission.

I would be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda item 38, and of the Security Council.

(Signed) Ibrahim A. GAMBARI
Chairman
Special Committee against
Apartheid

ANNEX

Special Committee against Apartheid

Report of the Chairman of the Special Committee against Apartheid on his mission to South Africa, 28 February to 6 March 1994

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I. INTRODUCTION

1. The year 1993 was significant in several aspects of the political history of South Africa. It was marked by a high level of political violence resulting in thousands of deaths and widespread destruction of property. While no part of the country was spared, the violence was particularly pronounced in Natal.

2. 1993 was also a year of frequent strikes and boycotts. In this regard, "the chalk-down strike embarked upon by the South African Democratic Teacher's Union worsened the educational crisis, especially within the Black community. The stringent actions taken by the National Education, Health and Allied Workers' Union, a Congress of South African Trade Unions (COSATU) affiliate, devastated health services in several hospitals". 1/ All these actions had an impact on the state of the economy which was still struggling with the consequences of recession and, in the absence of adequate domestic and external resources, was unable to respond to the needs of essential sectors such as housing and employment.

3. In the political field, the Inkatha Freedom Party (IFP), the Afrikaner Volksfront (Afrikaner People's Front) including, prominently, the Conservative Party (CP), and other right-wing organizations kept out of the multi-party negotiation process, which had already produced dramatic agreements, among them a decision that South Africa's first democratic and non-racial elections would be held at the end of April 1994. A most important agreement was also reached by the negotiators on an interim constitution, which was subsequently passed into law by a special session of Parliament at the end of 1993. With these agreements, together with an electoral bill and the bills adopted in October to enact the Transitional Executive Council (TEC), the Independent Electoral Commission (IEC), the Independent Broadcasting Authority and the Independent Media Commission, the whole transition package was in place.

4. However, as the year 1993 ran its course the problem of legitimacy of the security forces still lingered on and it was generally agreed that the newly established TEC should seek ways to make those forces acceptable to the majority of citizens so as to enable them to deal more effectively with the continuing upsurge of political violence.

5. The developments cited above are, undoubtedly, positive steps on the long road to freedom in South Africa. None the less, there are reasons for caution and vigilance on the part of the international community. The negotiating process has been marred by incessant political violence. The continuing opposition of white right-wing organizations as well as of IFP to the transition process and, in particular, to the forthcoming elections, may still have serious consequences for South Africa.

6. The resolutions on the question of South Africa adopted by the General Assembly at its forty-eighth session took these developments into account, as did the resolution adopted by the Assembly on the programme of work of the Special Committee against Apartheid, which was mandated to continue to

follow closely developments in South Africa with a view to facilitating a peaceful and stable transition in that country.

7. In pursuance of its mandate, the Special Committee undertook a high-level fact-finding Mission to South Africa between 28 February and 6 March 1994. In addition, the Mission was to underline the Committee's support to the people of South Africa and their political leadership in their efforts to bring all parties into the process and conduct the elections as scheduled in an atmosphere free from violence and intimidation.

8. The Mission, which was led by the Chairman of the Special Committee against Apartheid, Mr. Ibrahim A. Gambari (Nigeria), also included Mr. Kofi Awoonor, Permanent Representative of Ghana to the United Nations and Chairman of the Subcommittee on the Implementation of United Nations Resolutions on South Africa; Mrs. Narcisa L. Escaler, Permanent Representative of the Philippines to the United Nations and Mr. Abdullahi A. Omaki (Nigeria). Mr. Johan Nordenfelt, Director, Programmes against Apartheid and for Palestinian Rights of the Secretariat, and Ms. Shenaz Nagji, from the Centre against Apartheid of the Secretariat, accompanied the Mission.

9. Members of the Mission were able to travel to Cape Town, Johannesburg, Pretoria, East London and Port Elizabeth, where, apart from holding wide consultations, they could update themselves on the current situation on the ground. In particular, members were fully briefed by the Chairman and members of IEC, the Chairman of the Commission of Inquiry regarding the Prevention of Public Violence and Intimidation (Goldstone Commission), the Chairman of the National Peace Secretariat, and representatives of the Independent Forum on Electoral Education (IFEE), Matla Trust and the Institute for a Democratic Alternative in South Africa (IDASA). Furthermore, members of the Mission received detailed briefings by the Special Representative of the Secretary-General, Mr. Lakhdar Brahimi, and by the leaders of the observer teams of the Commonwealth, the European Union and the Organization of African Unity (OAU). They were also briefed by the United Nations Observer Mission in South Africa (UNOMSA)-coordinated observer teams in East London and Port Elizabeth, where, in addition, they met with representatives of the local Peace Committees.

10. The members of the Mission also had the opportunity to follow the proceedings of TEC which, it may be recalled, was established in October 1993 to supervise Government policies in crucial areas in the period leading up to the elections. The members of the Mission further had an opportunity to attend the parliamentary session at which amendments to the interim constitution were presented and adopted.

11. A schedule of the meetings held by the team in South Africa is annexed to the present report.

II. OVERVIEW OF THE MISSION

12. At the beginning of the meetings, the Chairman stressed that this, as in the case of the Committee's first visit in 1993, was a fact-finding mission. This time it would focus more specifically on the preparations for the April elections. The Chairman, therefore, indicated that the Mission was particularly interested in gathering information on such issues as the general arrangements for the elections, voter education, safety conditions at the polling stations and their location, evaluation of the role of the international election observers and monitors, violence and the role of the peace structures, as well as the role of the international community after the elections. All these points would need to be addressed in the final report of the Committee to the General Assembly.

A. General arrangements for the election

13. There is no question that the agreement on the interim constitution reached by the multi-party negotiation process last November and the establishment of IEC have been vital steps in the transition to democracy in South Africa. A successful election is, without doubt, the next critical step in this historic process.

14. In the course of discussions with major political actors, the Mission was informed that many favoured an election that would be as inclusive as possible. This, it was reasoned, was the surest way of guaranteeing peace and stability after the elections and for the latter to act as a turning point for growth and stability. There was great concern regarding the alliance of IFP and right-wing parties within the Freedom Alliance, whose boycott of the elections posed a real danger for the transition process.

15. The magnitude of the task of holding free and fair elections in South Africa for the first time implies that all sectors of the country's society will have to contribute to their success. IEC has expressed its determination to conduct the elections with such transparency as to ensure early and lasting reconciliation among contending parties. This determination will hopefully incite political leaders, at this historic juncture, to act in the interest of the country and to allow the estimated 22 to 23 million voters to cast their votes freely.

16. In addition to the efforts undertaken by IEC in this process, the business community, having played an active role in the resumption of multi-party negotiations, continues to assist the process of transition by attempting to ensure the following:

"(a) That the elections will have a high level of participation;

"(b) That the outcome of the elections will be accepted by both victors and losers;

"(c) That the elections will take place without violence and intimidation;

"(d) That the elections will be conducted in an efficient manner and will be well-managed;

"(e) That the elections will be well-monitored". 2/

17. Many underlined the difficulty of achieving these objectives due to the country's history, which was compounded by emerging new obstacles. South Africa is one of the few countries where elections will be conducted without a voter's roll and where the only qualification required will be the possession of a voter's identification card. Consequently, prospective voters will be free to cast their votes at any of the nearly 10,000 voting stations, as well as at 650 mobile stations, across the country. The authorities overseeing the running of the elections will, therefore, have to "over-cater for the prospective voters". 3/ The huge costs involved are, for now, estimated at 155 million rand per day. 4/ Another factor to be considered is the difficulty to establish proper communications. IEC is nevertheless confident that its members and staff nationwide will carry out this historic task successfully.

B. Voter education

18. A comprehensive and well-designed education programme for first-time voters is a vital ingredient for the outcome of elections in a country where 60 per cent of the population is believed to be functionally illiterate. Such a programme must address the issue of guarantees for peaceful voting and the security of votes. In addition, the programme ought to attempt to restore the confidence of victims of apartheid in their ability to choose and run their government.

19. IFEE, one of several organizations involved in this programme, informed the Mission that it had so far trained 2,000 people, who were in turn currently training others, with the help of pamphlets as well as radio programmes.

20. The Consultative Business Movement has also thrown its weight behind the voter-education programme by creating a Business Election Fund (BEF). The key objectives of the Fund include:

"(a) To inspire the electorate from a non-partisan business perspective to participate in the election process;

"(b) To support, reinforce and promote political tolerance, freedom of association and assembly and the secrecy of the ballot among the electorate and political parties;

"(c) To provide a vision and underline the positive potential of a truly free and fair election for stability, growth and democracy;

"(d) To observe, reinforce and support the efforts of those organizations, such as the IEC, set up to organize, supervise and adjudicate a free and fair election". 5/

21. To achieve the above objectives, BEF has indicated that it will conduct a targeted non-partisan public relations and communications campaign. It will also mobilize networks, infrastructures and resources to promote support of and participation in a free and fair election. The campaign will be conducted in cooperation with IEC and organizations such as IFEE and the Democratic Broadcasting Initiative.

22. The most impressive voter education materials seen by the Mission were probably those presented by the Matla Trust. The posters and brochures were simple and easy to follow for voters, a majority of whom will vote by identifying symbols rather than reading names. The Matla Trust voter education package, if widely available, is indeed capable of getting the right message across to first-time voters.

23. However, from the Mission's interactions, it was clear that voter education has not yet reached the vast majority of the people, especially women and those who live in rural areas. IEC appears confident that, despite the time constraint, it will be able to reach out to the entire voting population before the date of the election. It is therefore noted with particular satisfaction that, after the Mission had concluded its visit to South Africa, IEC organized a national conference on voter education programmes for women.

24. Concerns have also been raised about the vast majority of potential voters who are yet to be issued with voting identification cards. While IEC was extremely confident that issuance of such cards would take less than five minutes for each, a large number of voters were still finding the formality preceding the issuance of the cards not only cumbersome but also slow and difficult. Doubts were raised as to the ability of IEC to issue such documentation in time to an estimated 23 million voters.

C. Voting stations: location and safety

25. The Mission was informed that the elections would be conducted between the hours of 7 a.m and 7 p.m on 26, 27 and 28 April 1994. While 26 April has been set aside as Special Voting Day to take care of voters outside South Africa as well as of prisoners, those in hospitals and on farms and older people, 27 and 28 April are marked as days for general voting for both the national and provincial elections. To enhance participation, 27 April has been declared a public holiday.

26. All South African citizens and permanent residents who are 18 years and older will be eligible to vote. It is projected that "between 21 and 23 million people will participate in this historic exercise, which will be organized and supervised by 160,000 election officials, all of them South Africans. The voting stations are now, as a result of the acceptance of double balloting, projected to be about 10,000 in addition to 650 mobile stations. The international elections observers are now projected to be between 2,000 and 5,000 at the peak of the electioneering, while 30,000 local monitors and about 10,000 IEC supervisors will be required". 6/ Barring unforeseen circumstances, it is presumed that these layers of officials and representatives

from contesting political parties, as well as the defence forces, will guarantee the minimum security needed at each voting station.

27. IEC officials have also stressed that efforts are currently being made to ensure that ballot boxes do not travel more than five miles to counting and other collation centres. It is reasoned that the shorter the distance for movement of ballot boxes, the greater the chances of ensuring their safety.

D. Peace structures

28. It may be recalled that the National Peace Accord, which was signed in September 1991, provided for a code of conduct to be observed both by the police forces and by political parties and organizations in the exercise of their right to free political activities. The code aims at avoiding conflicts and the structures set up under the Accord are designed to help peaceful settlement of disputes between its signatories.

29. It appeared to the Mission that the peace structures were getting weaker and, consequently, were not able to respond to cases of violence and other acts of intimidation. There is no doubt, however, that these structures and the National Peace Accord itself still provide a generally acceptable framework for the overall examination of and dealing with the question of violence in South Africa. The Mission also felt that, as desirable as it was to strengthen the peace structures, that objective would be difficult as the elections become closer because political parties have continued to withdraw from these structures some of their high-level personnel needed for their own campaigns. Indeed, peace structures appear to be effective only where they are supported by the political parties and, as in the case of East London and Port Elizabeth, are easily accessed by the international observer groups whose presence, the Mission was assured, made a great deal of difference between peace and violence.

E. Violence and intimidation

30. The Mission was informed that a climate of widespread political intolerance, fear and politically inspired violence still reigns in South Africa. Although some violence had generally been anticipated, it has in the last few weeks increased beyond the levels expected. While present throughout the country, this violence is particularly acute in Natal province and the East Rand. Fears were expressed in some quarters that political violence in these areas, having exerted heavy tolls on human life and property, could erupt into a full-blown war and jeopardize the April elections.

31. The Mission was informed that the Government was, nevertheless, determined to ensure that elections took place as scheduled. One of the concerns expressed to the Mission was related to the persisting stockpiling by some elements, especially among the right-wing, of arms obtained through Swaziland and Mozambique. The war in Mozambique had resulted in the flooding of South Africa with assorted weapons sold at low prices. The Mission was also informed that the Government had tried to reverse this trend by buying off some of these weapons from the border between South Africa and Mozambique for subsequent

destruction. The Government further stressed that it had, of late, intensified border patrols aimed at discouraging this lucrative arms trade, while the police had offered to buy weapons from those that may have already succeeded in purchasing them from across the borders.

32. Fortunately, fears of a full-blown war resulting from political violence were not shared by the main political actors. Everyone appeared to agree that while political violence, which is likely to target specific individuals, will certainly increase in the run-up to the elections, violent-prone organizations were not sufficiently equipped or armed to engulf the entire country in a full-scale civil war. However, the Mission was informed that a "vigilante" force was being trained and armed in Natal/KwaZulu, and that this might constitute a more serious threat to elections in important areas there. The subsequent revelation by the Goldstone Commission of a destabilization conspiracy to derail the elections, involving senior officials of the South African police, IFP and the KwaZulu police, seems to confirm the seriousness of these concerns.

33. The Mission was also told that there was a real fear of intimidation by those who adamantly refused to take part in the forthcoming elections. The Government has repeatedly given assurances that it would protect all those who intend to exercise their democratic right on the days of voting and would assign that task to the defence forces. The recent events in Bophuthatswana are an indication that the Government's resolve can indeed have a decisive impact. While a majority agreed that the non-participation of key political actors in the elections, particularly IFP and CP, would harm the political process, all seemed determined that the elections should go on with or without them. Considering the distance travelled by the South Africans in the last four years, this appears to be a realistic position. IEC has also reaffirmed its resolve to carry on with the elections. While it was readily agreed that it was the democratic right of people or organizations not to participate in the elections, IEC stated that it would not condone blackmail or intimidation of others into non-participation. It recalled that it had the right, under the Electoral Act, to suspend voting at polling stations where such acts were manifest.

34. The Mission also learnt that not much progress had been made with the establishment of a national peace-keeping force, although its concept was supported by most political actors. The time remaining before the elections was not sufficient to complete the enlargement and retraining of this force. At present, only about 3,000 members were believed to have been trained, a number simply inadequate to maintain order and safety during the campaign and at the nearly 10,000 voting stations across the country. None the less, the idea of a national peace-keeping force is a commendable one, as it represents the beginning of an integration of the various armed forces, which needs to take place after the elections.

F. Constitutional amendment and more inclusive participation in the transitional process

35. In a further attempt to counter the difficulty of getting all the political parties to participate in the forthcoming elections, TEC agreed to significant amendments of the earlier pproved interim constitution "even before it comes

into effect, as well as of the 1993 Election Act". 7/ The reason for proceeding in this unusual fashion was clearly stated by President F. W. de Klerk in his speech at the opening of Parliament on 28 February 1994: "It is essential that no one and no party should be able to claim that they are excluded or that their reasonable concerns have not been accommodated in the transitional constitution". 8/ The amendments were therefore adopted to address the fears and concerns of various parties of the Freedom Alliance and to enhance further the legitimacy of the constitution.

36. The concerns of the Freedom Alliance, now largely made up of three organizations, IFP, CP and the Afrikaanse Weerstandbeweging (AWB) the Afrikaner Resistance Movement), and shared by the breakaway Freedom Front, are as follows:

(a) That stronger assurance is needed on the question of autonomy of provinces, their powers, functions and boundaries;

(b) That a future government might try to diminish the powers of the provinces in the final constitution;

(c) That the provinces should be granted greater fiscal and financial autonomy;

(d) That there should be two separate ballots in the election, one for the national parliament and the other for the provincial legislatures;

(e) That the principle of self-determination for ethnic minorities should be included and provision should be made for a mechanism and process to consider the issue of an Afrikaner "Volkstaat";

(f) That the province of Natal should be known as KawZulu/Natal.

37. The amendments to the interim constitution were adopted by Parliament on 28 February 1994, at a session which the Mission was privileged to witness. They largely addressed the major concerns of the Freedom Alliance. Indeed, the leaders of parties engaged in the negotiations that led to these concessions deserve to be commended for making this endeavour in the hope of reaching out to their compatriots.

38. The fact that, despite these amendments, some members of the Freedom Alliance continue to withhold their participation in the elections is a clear testimony that they are simply not interested in such a participation. Their continuing threat of boycott will no doubt hamper the conduct of free and fair elections, especially in areas where the Alliance is strongest. Consequently, the Mission appreciates the commitment made by the Government to "use all the means at its disposal, including the security forces, to deal with any party which might seek to achieve its objectives through violence or through unconstitutional, illegal or undemocratic means". 9/

G. The dialogue between Mr. Nelson Mandela and Chief Mangosuthu Buthelezi

39. While the Mission was in South Africa, the build-up to the widely reported meeting between the leadership of the African National Congress (ANC) and IFP assumed greater proportion. While everyone, in their contacts with the Mission, expressed the hope that the symbolic value of the meeting could help to calm down tensions in Natal, no one believed that it would be a real success. Its positive outcome, therefore, took the country by surprise and left the Freedom Alliance in an unexpected disarray. It will be recalled that the most important outcome of that meeting included:

(a) The acceptance by IFP to register provisionally for the elections, while continuing discussions on other matters;

(b) Exploring the possibilities of international mediation in an effort to resolve the deadlock over constitutional issues;

(c) Agreement to set up a task group to strengthen the Peace Committees. The task group should work out appropriate schedules of joint appearances at political rallies by the leadership of the two parties (ANC and IFP) to demonstrate the value of political tolerance.

40. As indicated, the impact of this meeting was shattering to those elements opposed to the April elections and led to a split in CP. Having failed to meet the deadline for submission of names of candidates, as required by the Electoral Act, IFP, CP and AWB will, regrettably, still not participate in the elections. However, breakaway members of the Alliance, including members of CP, have registered in time under the banner of the Freedom Front and will be participating in the elections.

41. As unfortunate as IFP's non-participation may be, the continuing dialogue between IFP and ANC is important in that it may still be capable of easing the level of violence and thereby enhancing the climate for political activity. Similarly, the lesson of the collapse of the Bophuthatswana leadership, the inability of AWB's forces to prevent it and the decisive intervention of the South African Defence Force (SADF) should be clear signals to those wishing to derail the transition process at this late hour.

H. The role of international observers

42. "UNOMSA is a unique application of preventive diplomacy." 10/ The Observer Mission was established on the basis of Security Council resolution 772 (1992) of 17 August 1992, and the international observers are required to render assistance to the structures set up under the National Peace Accord and to help end the violence, thereby supporting the efforts of the political leaders and people of South Africa in their legitimate struggle for a non-racial, non-sexist democratic society. Indeed, the presence of the international observers in the country has had a significant effect on the lives of average South Africans in terms of reducing the potential for violence.

43. The representatives of UNOMSA, as well as other international observers operating under its original and expanded mandate (Security Council resolution 894 (1994) of 14 January 1994), fully briefed the Mission as to the situation on the ground and outlined their projections as the countdown to the elections commences. UNOMSA is presently subdivided into two divisions corresponding to its double mandate, the first to monitor political violence and thus promote peace, and the second focusing on the elections. Briefing the Mission, the Special Representative of the Secretary-General stressed the significance and complementary nature of these two divisions. He added that the two units cooperate closely and that their daily operations reinforce each other.

44. The work of the observers from other international organizations such as the European Union, the Commonwealth and OAU, is coordinated by UNOMSA. It ought to be pointed out that the international observers are not the organizers of the elections, as was the case in Cambodia and Namibia. However, at the invitation of the relevant authorities and structures, they are actively engaged in all facets of the preparations for the elections. In this context, the international observers informed the Mission that they are currently working to achieve the following objectives:

(a) To help create confidence in and assure the transparency of the electoral process;

(b) To act as a deterrent to individuals and parties who might be tempted to tamper with the process;

(c) To provide domestic and international credibility for the outcome of the elections.

45. The international observers, whose total number is expected to rise to almost 3,000 at the time of the elections, are specifically charged with observing all aspects of the build-up to the election, including organization, voter information and education, campaigning and the election procedure on the polling days as well as the counting of the ballots. The Mission was told that the observers would attend political meetings and rallies as well as observe all aspects of the transition, including the activities of the police and other security forces, and that they would be available to all organizations wishing to discuss with them the transition process and, in particular, the elections.

46. While concern was expressed that the number of the international observers was inadequate in view of the nearly 10,000 polling stations in the country, the UNOMSA coordinating unit indicated to the Mission that observers would be rotated around the country to enable as much coverage of the polling stations as possible. In the areas most prone to violence such as Natal and the East Rand, observers would be stationed more permanently.

47. In addition to these extensive briefings by representatives of the international observers, the Mission visited Port Elizabeth and East London to apprise itself of the concrete arrangements on the ground. The Mission found that, in relatively conflict-free areas such as Port Elizabeth and East London, UNOMSA and other international observers were able to work very closely with

local peace structures without coming under any suspicion from some of the political parties.

III. GENERAL OBSERVATIONS

48. The Mission benefited a great deal from its interactions with the various groups it met while in South Africa. From such interactions, the Mission forged a strong impression of the eagerness of the majority of South Africans to participate in the first ever multiracial elections in the country. In this spirit, they gave indications that they were prepared to withstand the stormy weeks ahead in order to create a new society free of apartheid in which all South Africans, irrespective of their race, can enjoy the prospects of living in harmony as equal citizens of a democratic country.

49. Despite this eagerness and optimism, a lot of concern is still being expressed about the political intolerance which has resulted in persistent violence across the country, in particular in Natal and the East Rand. There was and still is a concern about the determination of some factions of the Freedom Alliance, such as IFP and CP, to boycott the elections, thereby significantly raising the possibility that those who wish to exercise their rights to vote would be subjected to intimidation. The vigorous ejection of white vigilante nationalists from Bophuthatswana may have been a turning point towards holding free and fair elections in the country in April. The decisive action by white and black government forces on behalf of civil order appears to have weakened the resistance to multiracial elections as well as split the radical white separatist groups and isolated IFP and its chairman, Chief Buthelezi.

50. The business community, which has played a proactive role in the multi-party negotiations, has continued to play a vital role in voter education exercises and has demonstrated its commitment to the transition process. This is understandable since, if "the business of business is to remain in business", support for the creation of stable political conditions is essential.

51. Although several NGOs are actively engaged in voter education exercises, the Mission's observation is that the time seems too short for the largely illiterate population, and in particular women in the rural areas, to be reached before the elections. Furthermore, in spite of the confidence expressed by IEC, the realities on the ground in the areas visited by the Mission, and the complexities of the communication and other infrastructural problems in the rural areas of the country, do not easily lend support to its optimism.

52. One of the most problematic issues that may affect the election is the question of identity cards or other documentation for the purpose of voting. Prospective voter figures of 18 to 23 million are conjectural, as it appeared from various accounts, at the time of the Mission's visit that only half of the voters were adequately documented. It remains unclear how the remaining 9 to 12 million people would be able to receive proper documents before the elections.

53. The role of UNOMSA and other international observers has continued to be praised and warmly embraced by all sectors of the country. It is indeed evident that an excellent relationship exists between UNOMSA and other international observers as well as the Peace Committees in several regions of the country (except in the most violent areas of Natal and the East Rand). The presence of the international observers in South Africa has no doubt made a great deal of difference between peace and violence. Indeed, UNOMSA, under the able leadership of Mr. Brahimi and Ms. Angela King, is very well organized and is getting fully prepared for the huge task of observing the arrangements for the electioneering as well as the actual conduct of the elections. The Mission is confident that the presence, organization and commitment of UNOMSA as well as other international observers and their staff is an essential factor in helping to achieve successful democratic elections in the country.

54. Finally, the Mission was impressed by the seriousness, thoroughness and skill with which the members of TEC conducted their work. In its view, this augurs well for a future government of national unity. Furthermore, the Mission commends the political wisdom and flexibility demonstrated by the main participants in the Multi-Party Negotiating Council, who have undertaken significant endeavours, including amending the interim constitution, to encourage those who have chosen to remain outside of that framework to rejoin the electoral process.

IV. RECOMMENDATIONS

55. Based on the above, and taking into account some of the most recent developments in South Africa, the following is recommended:

(a) That UNOMSA, because of its infrastructural and logistical spread, as well as the length of its presence in South Africa, be supported in its role to coordinate the operations of all other international observers, including those from individual Member States, in the run-up to the elections;

(b) That UNOMSA and other international observers, as well as those from individual Member States, should intensify their efforts with regard to voter education, in cooperation with IEC and domestic NGOs;

(c) That the international community should continue to encourage the parties, to the extent possible, to work for all-inclusive elections;

(d) That the international community should not respond to calls for the postponement of the elections, as advocated by parties which are not firmly committed to non-racial and democratic elections. Such a postponement, no matter how brief, is unlikely to ensure the participation of all organizations in South Africa, and would, in our view, lead to an intensification of violence. Furthermore, any deferral would have serious financial implications at a time when there are clear signs of contribution fatigue by the international community;

(e) That the South African Government be urged to ensure, with the support of TEC, that the defence forces take such decisive action as will be needed to

forestall or minimize the level of violence as well as acts of intimidation of prospective voters across the country, especially in areas where levels of violence and intimidation are particularly high, such as Natal;

(f) That the United Nations, in cooperation with international agencies, should proceed with arrangements to convene a resource mobilization/donors conference in the near future, for the benefit of disadvantaged South Africans;

(g) That following one person-one vote elections and the establishment of a non-racial government and a constituent assembly/interim parliament, the General Assembly would need to consider the question of a resumption of the participation of South Africa in its work. In this context, the Assembly may wish to consider holding a special session to evaluate such communication as may have been received from a new government with regard to the question of South Africa's resumption of its seat at the Assembly.

Notes

1/ Institute for a Democratic Alternative in South Africa, Annual Report, 1992.

2/ Consultative Business Movement, Publication No. 14, 21 February 1994.

3/ Statement by Judge Johann Kriegler, International Briefing on South Africa's first democratic and non-racial elections, Brussels, 28 February-1 March 1994.

4/ Consultative Business Movement, Publication No. 14, 21 February 1994.

5/ Ibid.

6/ Ibid.

7/ Statement by Mr. Roelf Meyer, Constitutional Minister, to Parliament, 28 February 1994.

8/ Address by President F. W. de Klerk to Parliament, 28 February 1994.

9/ Ibid.

10/ Statement by Ms. Angela King, Chief of Mission, UNOMSA, Johannesburg, August 1993.

APPENDIX

List of meetings held by the team

Monday, 28 February 1994 (Cape Town)	Meetings with: National Coordinator of IFEE, Father Michael Weeder; Democratic Party leader, Mr. Zach de Beer. Attended Parliament's proceedings.
Tuesday, 1 March 1994 (Cape Town)	Observed proceedings of TEC, chaired by Mr. Zam Titus; meeting with IDASA Executive Director, Mr. Alex Boraine.
Wednesday, 2 March 1994 (Johannesburg)	Meetings with: IEC Chairman, Judge Johann Kriegler and IEC Commissioners Mr. Oscar Dhlomo and Mrs. Dawn Mokhobo; Chairman of the Commission of Inquiry regarding the Prevention of Public Violence and Intimidation, Justice Richard Goldstone; BEF representative, Mr. Colin Coleman.
Thursday, 3 March 1994 (Johannesburg)	Meetings with: Deputy Minister for Constitutional Affairs, Mr. F. Schoeman; Special Representative of the Secretary-General for South Africa, Mr. Lakhdar Brahimi; Special Representative of the OAU Secretary-General, Ambassador Legwaila; Ambassador von Stulpnagel, Mr. Marshall and Mr. de Ruiter, representing respectively the European Community Observer Mission in South Africa, the Commonwealth Observer Mission in South Africa and the European Union; Mr. Thabo Mbeki, Chairman of the ANC; PAC President Mr. Clarence Makwetu and Foreign Secretary Mr. Gora Ibrahim; representatives of the Matla Trust, Mr. Terrence Tryon, Mr. B. Modise and Mr. Victor Mtojope; National Peace Secretariat Chairman, Mr. Antonie Gildenhuys.
Friday, 4 and Saturday, 5 March 1994	Visits to East London and Port Elizabeth and meetings with UNOMSA-coordinated observer teams and local Peace Committees.

UNITED
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GENERAL

A/48/922
S/1994/393
5 April 1994
ENGLISH
ORIGINAL: RUSSIAN

GENERAL ASSEMBLY
Forty-eighth session
Agenda item 114 (b)
HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

SECURITY COUNCIL
Forty-ninth year

Letter dated 1 April 1994 from the Chargé d'affaires a.i. of the Permanent Mission of Azerbaijan to the United Nations addressed to the Secretary-General

I have already had the honour to transmit to you the text of the statement by the Ministry of Foreign Affairs of the Azerbaijani Republic concerning the inhuman act perpetrated by the authorities of the Armenian Republic - the execution on 15 February 1994 of Azerbaijani prisoners and hostages in the prisoner-of-war camp near the town of Spitak, Republic of Armenia (S/1994/206, annex). On 16 February 1994 the press service of the Ministry of Foreign Affairs of the Republic of Armenia officially acknowledged the executions of Azerbaijani prisoners, emphasizing that "they were killed while attempting to escape".

It was not until 23 March 1994 that, thanks to the efforts of the International Committee of the Red Cross, the bodies of dozens of victims were handed over to Azerbaijan.

The findings of the forensic report prepared by a commission from the Ministry of Public Health contradict the affirmation by the press service of the Armenian Ministry of Foreign Affairs and, in addition, indicate that, prior to their death, the victims were ill-treated and tortured. The report established that R. R. Agayev, E. G. Akhmedov, E. S. Mamedov, G. K. Mamedov, F. G. Kouliyev and E. M. Akhmedov were killed by shots to the temple and that B. A. Guiyassov was shot point blank in the face.

R. R. Agayev, E. S. Mamedov and E. M. Akhmedov had had their ears cut off and R. R. Agayev had been eviscerated: heart, liver and spleen were missing.

The examination of the body of I. S. Nasjirov revealed clear signs of cachexia, which is indicative of prolonged undernourishment. The body of F. G. Gousseinov bore numerous external marks of physical torture.

On 26 March 1994 the Ministry of Foreign Affairs of the Azerbaijani Republic communicated the findings of the forensic report on the bodies of the executed Azerbaijani prisoners in a note to embassies of foreign Governments accredited to the Azerbaijani Republic and to international humanitarian organizations.

The note stated that "the Ministry of Foreign Affairs of the Azerbaijani Republic expressing its indignation at the inhuman act perpetrated by the authorities of the Armenian Republic and the flagrant violation of the Geneva Conventions of 1949, in particular the Convention relative to the Treatment of Prisoners of War, appeals to the international community to vigorously condemn the criminal act perpetrated against Azerbaijani prisoners of war and demand that the authorities of the Republic of Armenia put an end to the massacre of Azerbaijani hostages and prisoners still in the territory of the Republic of Armenia".

I should be grateful if you would have this letter circulated as an official document of the forty-eighth session of the General Assembly, under item 114 of the agenda, and of the Security Council.

(Signed) Yashar T. ALIYEV
Chargé d'affaires a.i.

UNITED
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General Assembly
Security Council

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A/48/923
S/1994/403
7 April 1994
ENGLISH
ORIGINAL: ARABIC

GENERAL ASSEMBLY
Forty-eighth session
Agenda item 35
QUESTION OF PALESTINE

SECURITY COUNCIL
Forty-ninth year

Letter dated 5 April 1994 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General

In my capacity as Chairman of the Arab Group for the month of April 1994, I have the honour to transmit to you herewith the text of resolution 5366 as adopted on 27 March 1994 by the Council of the League of Arab States at its one hundred and first regular session. The resolution is entitled "The situation in the City of Jerusalem".

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly, under agenda item 35, and of the Security Council.

(Signed) Chawki CHOUERI
Chargé d'affaires a.i.
Chairman of the Arab Group

ANNEX

Resolution 5366 (CI), adopted on 27 March 1994 by the Council of the League of Arab States at its one hundred and first regular session

The situation in the City of Jerusalem

The Council of the League of Arab States,

Having considered

the note by the Secretary-General,

its previous resolutions relating to this matter,

and the recommendation of the Political Affairs Committee,

DECIDES

1. To affirm the overriding importance of the Holy City of Jerusalem for the maintenance of peace efforts and the necessity of implementing the United Nations resolutions relating to the impermissibility of the alteration of its historical, cultural and demographic status;

2. To urge the co-sponsors of the peace process to confirm their undertaking that the fact that the question of Jerusalem is not under discussion at the present stage in the negotiations does not affect the need to implement the resolutions of international legitimacy, principally Security Council resolutions 252 (1968) and 478 (1980), with particular regard to the impermissibility of the unilateral alteration of the character of the Holy City;

3. To reaffirm the resolutions of the Council of the League, particularly its resolution 4328 of 31 March 1984, on the adoption of measures in implementation of the resolutions of the Arab Summit Conferences, and particularly the Eleventh Summit Conference, with regard to any country transferring its diplomatic mission to Jerusalem or recognizing the City as the capital of Israel;

4. To condemn Israeli measures and practices aimed at the Judaization of the City of Jerusalem by stepping up settlement activity there and confiscating the property of Palestinian residents; and to urge the implementation of the resolutions of international legitimacy on this question;

5. To provide material support to the Holy City in order to enable its Palestinian residents to protect their landed property and prevent the occupation authorities from instituting further expropriations and seizures of such property;

6. To request the Secretary-General to establish and maintain the necessary contacts for the implementation of this resolution.

UNITED
NATIONS

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Security Council

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S/1994/413
11 April 1994

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-eighth session
Agenda item 54
QUESTION OF CYPRUS

SECURITY COUNCIL
Forty-ninth year

Letter dated 8 April 1994 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

On instructions from my Government I have the honour to request that the attached Message of Struggle of the Women of Cyprus for Freedom and Justice, which was signed by hundreds of thousands of women and men in Cyprus on the occasion of International Women's Day, on 8 March 1994, be circulated as a document of the forty-eighth session of the General Assembly, under agenda item 54, and of the Security Council.

This message is a reflection of the determination of the people of Cyprus never to accept the forcible division of their country and their people. It is an appeal by the women of Cyprus to the international community to act in solidarity and to support the implementation of the resolutions of the United Nations on Cyprus and the search for a just and viable solution to the problem of Cyprus that will restore the human rights of all Cypriots and secure the unity of the country.

(Signed) Alecos SHAMBOS
Ambassador
Permanent Representative

Message of Struggle of the Women of Cyprus for Freedom and Justice, signed on 8 March 1994

In our turbulent times, our small country, the island of Aphrodite, with its 9,000-year history, has been living its own ordeal for 20 years now.

Since July-August 1974, one third of the territory of Cyprus has been suffering under conditions of occupation by Turkish occupation troops. Despite the adoption of numerous resolutions and decisions by the United Nations, the situation resulting from the invasion and occupation continues and deteriorates. The problem of Cyprus seeks a political solution.

Beyond the political aspects of the problem of Cyprus lie the humanitarian aspects, which persist and constitute a provocation and a shame for humanity, particularly at a time when renewed emphasis is being given to the implementation of universal respect for human rights.

As a result of the Turkish invasion and occupation, 200,000 people were uprooted by force of arms and were rendered refugees in their own country. Thousands were killed and thousands became orphans. 1,619 persons are still missing.

Thousands of illegal settlers have been settled in our occupied lands, our cultural heritage is being destroyed and the demographic character of our island is being provocatively altered.

The thousands of Greek Cypriots who were enclaved in the occupied areas were forcibly driven from their homes and lands through methods of intimidation and oppression and only a few hundred now remain in the occupied area, living under oppressive conditions of terror.

The human rights of the people of Cyprus are being flagrantly violated.

We the women of Cyprus, who constitute 51 per cent of the island's population and who continue the struggle along with the rest of the people of Cyprus for justice and restoration of the human rights of the Cypriots, make an appeal to the United Nations to take all appropriate measures to implement its own resolutions on Cyprus.

We appeal to the Commission on the Status of Women at its thirty-eighth session.

We appeal to the Heads of State and Government.

We call upon every people in the world and every human being who believes in justice and human rights for solidarity and support in our struggle for implementation of the resolutions of the United Nations on Cyprus, and for a just and viable solution to the problem of Cyprus, a solution which will secure:

- The unity and territorial integrity of the Republic of Cyprus;

- The withdrawal of the Turkish occupation troops and settlers;

- The right of all refugees to return to their ancestral homes;

- The three basic freedoms: freedom of movement, freedom of settlement and the right to property;

- The ascertainment of the fate of the missing persons;

- The implementation of the third Vienna Agreement concerning the enclaved Greek Cypriots;

- In general, the restoration of the human rights of all the legitimate inhabitants of Cyprus.

With the expectation that our appeal will be heard, we look with hope into the future for a peaceful and tranquil homeland which will make its further contribution to world peace and to the prevalence of world justice.

UNITED
NATIONS

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General Assembly
Security Council

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A/48/925
S/1994/437
14 April 1994

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-eighth session
Agenda item 38
ELIMINATION OF APARTHEID AND
ESTABLISHMENT OF A UNITED,
DEMOCRATIC AND NON-RACIAL
SOUTH AFRICA

SECURITY COUNCIL
Forty-ninth year

Letter dated 12 April 1994 from the Permanent Representative of Myanmar to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of a press communiqué issued by the Ministry of Foreign Affairs of the Union of Myanmar on the lifting of sanctions against South Africa.

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda item 38, and of the Security Council.

(Signed) Kyaw MIN
Ambassador
Permanent Representative

ANNEX

Press communiqué concerning the lifting of sanctions against South Africa issued on 31 March 1994 by the Ministry of Foreign Affairs of Myanmar

The Government of the Union of Myanmar, pursuant to the political and constitutional processes in South Africa which have ensured the elimination of apartheid and in compliance with General Assembly resolution 48/1 lifting economic sanctions against that country, has decided to end the economic restrictions and prohibitions it had hitherto imposed on South Africa, with effect from 23 March 1994.

UNITED
NATIONS

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General Assembly
Security Council

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GENERAL

A/48/926
S/1994/442
14 April 1994

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-eighth session
Agenda item 170
THE SITUATION IN BURUNDI

SECURITY COUNCIL
Forty-ninth year

Letter dated 13 April 1994 from the Chargé d'affaires a.i. of the Permanent Mission of Greece to the United Nations addressed to the Secretary-General

I have the honour to transmit to you herewith a statement of the European Union on Rwanda and Burundi.

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the forty-eighth session of the General Assembly, under agenda item 170, and of the Security Council.

(Signed) Adamantios Th. VASSILAKIS
Chargé d'affaires a.i.
Deputy Permanent Representative

ANNEX

[Original: English and French]

Communiqué on Rwanda and Burundi, issued on 12 April 1994 on behalf of the European Union by its Presidency

The European Union is deeply concerned to learn of the tragedy which has led to the death in Kigali of the Heads of State of Rwanda and Burundi together with members of their entourage. It wants an international commission of inquiry to investigate fully the causes of the destruction of the presidential aircraft and urges all Rwandese authorities to safeguard the achievements of the Arusha agreements.

The European Union is also deeply saddened by the death of a number of Belgian citizens in Rwanda, both civilian and military. It strongly condemns these appalling assassinations and hopes that justice will be done as quickly as possible.

The European Union appeals in the strongest terms for the lives of Rwandese and foreign nationals to be protected as they work together within Rwanda to safeguard its internal peace and its prosperity.

UNITED
NATIONS

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General Assembly
Security Council

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A/48/927
S/1994/457
17 April 1994

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-eighth session
Agenda item 42
THE SITUATION IN BOSNIA AND
HERZEGOVINA

SECURITY COUNCIL
Forty-ninth year

Letter dated 17 April 1994 from the Permanent Representative of Bosnia and Herzegovina addressed to the Secretary-General

I have the honour to present to you the attached letter, dated today, from my President to you (see annex).

May I ask for your kind assistance in circulating the present letter and its annex as a document of the forty-eighth session of the General Assembly, under agenda item 42, and of the Security Council.

(Signed) Muhamed SACIRBEY
Ambassador
Permanent Representative

ANNEX

Letter dated 17 April 1994 from the President of Bosnia and Herzegovina addressed to the Secretary-General

I write to you at noon (Central European Time) on 17 April 1994. The news I am receiving from Gorazde reports that the city is in agony.

For the past 20 days, Karadzić's Serbs and units of the Yugoslav army have brutally attacked this city, which has been under siege for 10 months.

For the last 20 days a surreal game has overtaken the situation, one where truth is suppressed and voices appealing for help have been muffled, and efficient enforcement mechanisms have been crippled, and so the protected "safe areas" are the most unprotected places on Earth.

The organization that you are leading proclaimed the free territory of Gorazde a United Nations protected area almost a year ago.

Despite the adoption by the Security Council of resolutions 824 (1993) and 836 (1993), these remain no more than dead letters on paper.

Neither you nor your officials have done anything to employ fully the mandate given under these resolutions to protect the people of Gorazde and United Nations credibility alike.

The result is more obvious than it is tragic.

Mr. Secretary-General, Bosnians hold you responsible for this situation.

These are difficult times, Bosnians are bleeding and there is no time left for diplomatic evasiveness.

If Gorazde falls, I believe that your sense of moral responsibility would lead you to resign from your position of Secretary-General of the United Nations.

That is the minimum that you can do for the suffering people whose two years of pain have been met only by indifference.

(Signed) Alija IZETBEGOVIĆ

UNITED
NATIONS

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General Assembly
Security Council

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A/48/928
S/1994/448
19 April 1994
ENGLISH
ORIGINAL: ENGLISH/SPANISH

GENERAL ASSEMBLY
Forty-eighth session
Agenda item 40
THE SITUATION IN CENTRAL AMERICA:
PROCEDURES FOR THE ESTABLISHMENT
OF A FIRM AND LASTING PEACE AND
PROGRESS IN FASHIONING A REGION
OF PEACE, FREEDOM, DEMOCRACY
AND DEVELOPMENT

SECURITY COUNCIL
Forty-ninth year

Letter dated 8 April 1994 from the Secretary-General to the President of the General Assembly and to the President of the Security Council

I have the honour to refer to my letter dated 17 January 1994 (A/49/61-S/1994/53), in which I informed the General Assembly of the signing on 10 January 1994 of a Framework Agreement for the Resumption of the Negotiating Process between the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca. In that document the parties agreed on the modalities for resuming their negotiations, suspended since May 1993, and asked me to appoint a representative to serve as Moderator of the negotiations. I have since appointed to that post Mr. Jean Arnault, who had been participating in the peace talks as the United Nations observer since June 1992.

I am pleased to inform you that the first round of negotiations held since the adoption of the Framework Agreement was successfully concluded on 29 March with the signing, at Mexico City, of a Comprehensive Agreement on Human Rights, an Agreement on a Timetable for the Negotiation of a Firm and Lasting Peace in Guatemala and a joint statement of the two parties. Copies of these documents are attached.

The adoption of the Comprehensive Agreement on Human Rights, which had been under negotiation for more than two years, and of the timetable, which will serve as a guide for further negotiations, represents a milestone in the Guatemalan peace process and is encouraging evidence of the parties' commitment to reaching an early settlement through a comprehensive negotiating process after 30 years of armed confrontation. I have written to President de León Carpio and to the leadership of the Unidad Revolucionaria

Nacional Guatemalteca to express my satisfaction and to congratulate them on this remarkable achievement.

In the Comprehensive Agreement on Human Rights, the parties reiterated their decision in the Framework Agreement to request the United Nations to verify the implementation of all agreements reached between them. In this context, the parties are now requesting that the United Nations establish, at the earliest opportunity, a mission to verify implementation of the human rights agreement, without waiting for the signing of the Agreement for a Firm and Lasting Peace, which will conclude the negotiating process at the end of this year.

As indicated in my letter of 17 January, I believe that the United Nations should respond positively to the parties' request for international verification of the agreements reached between them. In that context, and in order to be able to estimate the resources required for a possible mission to verify the Comprehensive Agreement on Human Rights, I have decided to send a survey mission to Guatemala. 1/ I will present its conclusions, together with my recommendations, as soon as possible.

(Signed) Boutros BOUTROS-GHALI

Notes

1/ In order for the General Assembly to consider this matter, it will be necessary to reopen item 40 of the agenda of the forty-eighth session.

Annex I

Comprehensive Agreement Human Rights

Preamble

Taking into consideration the constitutional provisions in effect in respect of human rights and international treaties, conventions and other instruments on the subject to which Guatemala is a party,

Considering the wish of the Government of Guatemala and of the Unidad Revolucionaria Nacional Guatemalteca that the agreement on human rights and international verification be applied in accordance with the aforesaid constitutional provisions and international treaties,

Bearing in mind the commitment of the Government of Guatemala to respect and promote human rights in accordance with the constitutional mandate,

Considering further that the Unidad Revolucionaria Nacional Guatemalteca undertakes to respect the inherent attributes of the human being and to contribute to the effective enjoyment of human rights,

Recognizing the importance of national institutions and entities for the protection and promotion of human rights and the desirability of strengthening them and building them up,

The Government of the Republic of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca, hereinafter referred to as "the Parties", hereby agree:

I. GENERAL COMMITMENT REGARDING HUMAN RIGHTS

1. The Government of the Republic of Guatemala reaffirms its adherence to the principles and norms designed to guarantee and protect the full observance of human rights, and its political will to enforce them.

2. The Government of the Republic of Guatemala shall continue to encourage all those measures designed to promote and perfect norms and mechanisms for the protection of human rights.

II. STRENGTHENING INSTITUTIONS FOR THE PROTECTION OF HUMAN RIGHTS

1. The Parties consider that any behaviour that limits, restricts or impairs the functions assigned to the judiciary, the Counsel for Human Rights and the Public Prosecutor's Office in respect of human rights undermines fundamental principles of the rule of law and that, accordingly, those institutions must be supported and strengthened in the exercise of those functions.

2. With regard to the judiciary and the Public Prosecutor's Office, the Government of the Republic of Guatemala reiterates its will to respect their autonomy and to protect the freedom of action of both vis-à-vis pressures of any type and origin, so that they may enjoy fully such guarantees and means as they may require in order to operate efficiently.

3. With regard to the Counsel for Human Rights, the Government of the Republic of Guatemala shall continue to support the latter's work so as to strengthen that institution, backing his actions and promoting such reforms of the enactments as may be needed to enable him to better carry out his functions and responsibilities. The Government of the Republic of Guatemala shall support initiatives designed to improve the technical and material conditions available to the Counsel for Human Rights in carrying out his tasks of investigation, monitoring and follow-up to ensure full enjoyment of human rights in Guatemala.

III. COMMITMENT AGAINST IMPUNITY

1. The Parties agree on the need for firm action against impunity. The Government shall not sponsor the adoption of legislative or any other type of measures designed to prevent the prosecution and punishment of persons responsible for human rights violations.

2. The Government of the Republic of Guatemala shall initiate in the legislature necessary legal amendments to the Penal Code so that enforced or involuntary disappearances and summary or extra-judicial executions may be characterized as crimes of particular gravity and punished as such; likewise, the Government shall foster in the international community, recognition of enforced or involuntary disappearances and of summary or extra-judicial executions as crimes against humanity.

3. No special law or exclusive jurisdiction may be invoked to uphold impunity in respect of human rights violations.

IV. COMMITMENT THAT THERE ARE NO ILLEGAL SECURITY FORCES AND CLANDESTINE MACHINERY; REGULATION OF THE BEARING OF ARMS

1. In order to maintain unlimited respect for human rights, there must be no illegal security forces nor any clandestine security machinery. The Government of Guatemala recognizes that it has an obligation to combat any manifestation thereof.

2. The Government of the Republic of Guatemala reiterates its commitment to continue with the purification and professionalization of the security forces. It also expresses the need to continue with the adoption and implementation of effective measures so as to provide specific regulations governing the possession, bearing and use of firearms by individuals, in accordance with the law.

V. GUARANTEES REGARDING FREEDOM OF ASSOCIATION AND FREEDOM OF MOVEMENT

1. Both Parties agree that the freedoms of association and of movement are internationally and constitutionally recognized human rights which must be exercised in accordance with the law and must be fully enjoyed in Guatemala.

2. In the exercise of his functions, the Counsel for Human Rights shall be responsible for establishing whether members of the volunteer civil defence committees have been compelled to join those committees against their will or whether their human rights have been violated.

3. Upon receiving a complaint the Counsel for Human Rights shall immediately conduct the necessary investigations. For that purpose, after publicly announcing that such committees must be made up of persons who have joined of their own free will, and must observe the law and human rights, he shall conduct consultations in the villages, making sure that, in such case, committee members express their wishes freely and without any pressure.

4. Should it be established that some people have not joined of their own free will or that there have been violations of the legal order, the Counsel shall take whatever decisions he may deem necessary and shall initiate corresponding judicial or administrative action to punish the human rights violations.

5. The Government of Guatemala shall unilaterally declare that it shall not encourage the organization of nor shall it establish further volunteer civil defence committees in any part of the national territory provided that there is no reason for it to do so. For its part, the Unidad Revolucionaria Nacional Guatemalteca sees the unilateral statement as a positive expression of the Government's will to achieve peace and shall contribute to the aims of such declaration.

6. In the event of a complaint, the residents affected shall go to the town mayor who at the same time shall convene a public meeting and shall call the Counsel for Human Rights to verify, by all means at his disposal, whether or not the residents acted of their own free will.

7. Both Parties agree that other aspects of the volunteer civil defence committees shall be dealt with later, in connection with other items on the general agenda.

8. The Parties recognize the work done by the Office of the Counsel for Human Rights with regard to education and information, and request that the latter should include in its work information regarding the content and scope of the present agreement.

VI. MILITARY CONSCRIPTION

1. Conscription for compulsory military service must not be forced, nor should it be cause for a violation of human rights and, therefore, while military service should continue to be a civic duty and right, it must be just and non-discriminatory.

2. To that end, for its part, the Government of the Republic of Guatemala shall continue to adopt and implement the necessary administrative decisions and shall initiate, as soon as possible and in the spirit of this agreement, a new Military Service Act.

VII. SAFEGUARDS AND PROTECTION OF INDIVIDUALS AND ENTITIES WORKING FOR THE PROTECTION OF HUMAN RIGHTS

1. The Parties agree that all acts which may affect the safeguards of those individuals or entities working for the promotion and protection of human rights are to be condemned.

2. Accordingly, the Government of the Republic of Guatemala shall take special measures to protect those persons or entities working in the field of human rights. Furthermore it shall investigate, in a timely and exhaustive manner, any complaint it may receive relating to acts or threats that may be directed at them.

3. The Government of the Republic of Guatemala reiterates the commitment to safeguard and protect effectively the work of individuals and entities engaged in upholding human rights.

VIII. COMPENSATION AND/OR ASSISTANCE TO THE VICTIMS OF HUMAN RIGHTS VIOLATIONS

1. The Parties recognize that it is a humanitarian duty to compensate and/or assist victims of human rights violations. Said compensation and/or assistance shall be effected by means of government measures and programmes of a civilian and socio-economic nature addressed, as a matter of priority, to those whose need is greatest, given their economic and social position.

IX. HUMAN RIGHTS AND INTERNAL ARMED CONFRONTATION

1. Until such time as the firm and lasting peace agreement is signed, both Parties recognize the need to put a stop to suffering of the civilian population and to respect the human rights of those wounded, captured and those who have remained out of combat.

2. These statements by the Parties do not constitute a special agreement, in the terms of article 3 (Common), paragraph 2, second subparagraph of the Geneva Conventions of 1949.

X. INTERNATIONAL VERIFICATION BY THE UNITED NATIONS

1. The Parties reaffirm the decision stated in the Framework Agreement of 10 January 1994 that all the agreements must be accompanied by appropriate national and international verification mechanisms, and that the latter must be the responsibility of the United Nations.

2. In this context the Parties agree to request the Secretary-General of the United Nations to organize a mission for the verification of human rights and of compliance with the commitments of the agreement. The mission will be a component of the overall verification of the firm and lasting peace agreement which the parties undertook to sign within the shortest possible time during the current year.

3. The Parties recognize the importance of the role of the national institutions responsible for enforcing, monitoring and safeguarding human rights, such as the judiciary, the Public Prosecutors Office and the Counsel for Human Rights, and they emphasized the role of the latter, in particular.

4. The Parties agree to ask the Secretary-General of the United Nations that the mission for the verification of the agreement be established with the following in mind:

Functions

5. In verifying human rights, the mission shall carry out the following functions:

(a) Receive, consider and follow-up complaints regarding possible human rights violations;

(b) Establish that the competent national institutions are carrying out the necessary investigations autonomously, effectively and in accordance with the political constitution of the Republic of Guatemala and international norms regarding human rights;

(c) Determine whether or not a violation of human rights has occurred on the basis of whatever information it may obtain in the exercise of the powers referred to in paragraph 10, subparagraphs (a), (b), (c) and (d), taking into consideration any investigations that the competent constitutional institutions may carry out.

6. In verifying the other commitments set forth in the present agreement, the mission shall determine whether it is being fully implemented by the parties.

7. According to the findings of its verification activities, the mission shall make recommendations to the Parties, in particular regarding measures necessary to promote full observance of human rights and faithful implementation of the present agreement as a whole.

8. Bilateral talks shall be instituted between the mission and each one of the Parties so that the latter may make observations regarding the mission's

recommendations and so as to facilitate implementation of the above-mentioned measures.

9. The mission shall report regularly to the Secretary-General of the United Nations, who shall report to the competent bodies of that Organization. Copies of these reports shall be transmitted to the Parties.

10. The mission shall be empowered to:

(a) Establish itself and move freely throughout the national territory;

(b) Interview any person or group of persons freely and privately for the proper performance of its functions;

(c) Visit government offices and Unidad Revolucionaria Nacional Guatemalteca encampments freely and without prior notice when this is deemed necessary for the performance of its functions;

(d) Collect whatever information may be relevant for the implementation of its mandate.

11. The mission may disseminate information relating to its functions and activities to the Guatemalan public through the mass media.

12. In verifying the observance of human rights, the mission shall pay particular attention to the rights to life, integrity and security of person, to individual liberty, to due process, to freedom of expression, to freedom of movement, to freedom of association and to political rights.

13. In the performance of its functions the mission shall take into account the situation of the most vulnerable groups of society and to the population directly affected by the armed confrontation (including displaced persons, refugees and returnees).

14. The mission's activities shall relate to events and situations subsequent to the mission's installation.

15. For purposes of implementation of the general commitment regarding human rights (chapter I of the present agreement), the Parties understand human rights as meaning those rights which are recognized in the Guatemalan legal order including international treaties, conventions and other instruments on the subject to which Guatemala is a party.

Cooperation and support for national institutions for the protection of human rights

16. The Parties agree in acknowledging that international verification must contribute to strengthening the permanent constitutional mechanisms and other national governmental and non-governmental entities for the protection of human rights. In order to support them, the verification mission shall be empowered to:

(a) Cooperate with national institutions and entities, as necessary, for the effective protection and promotion of human rights and, in particular sponsor technical cooperation programmes and carry out institution-building activities;

(b) Offer its support to the judiciary and its auxiliary organs, the Public Prosecutor's Office, the Counsel for Human Rights and the Presidential Human Rights Committee in order to contribute to the development and strengthening of national institutions for the protection of human rights and due legal process;

(c) Promote the international technical and financial cooperation required to strengthen the capacity of the Counsel for Human Rights and that of other national institutions and entities to carry out their functions in respect of human rights;

(d) Contribute, in cooperation with the State and the various bodies of society, to encouraging a culture of respect for human rights.

Duration and structure of the mission

17. The mission shall initially be established for one year and its mandate may be renewed.

18. The verification mission shall be headed by a chief, appointed by the Secretary-General of the United Nations, assisted by such international and national officials and experts in various specialities as may be needed to achieve the aims of the mission. The Government of Guatemala and the mission shall sign the relevant headquarters agreement, in accordance with the Convention on the Privileges and Immunities of the United Nations of 1946.

Launching of the international verification mission

19. Taking into consideration its wish to promote human rights in Guatemala, and the fact that the provisions of the present agreement reflect constitutional rights that are already set forth in Guatemala's legal order and considering the role of the international mission to strengthen national institutions and entities for the protection of human rights, in particular the Counsel for Human Rights, the Parties recognize that it is desirable, as an exceptional measure, that verification of the human rights agreement should commence prior to the signing of the firm and lasting peace agreement.

20. Since the verification mission is to begin its functions prior to the end of the armed confrontation, and thus while military operations continue, the mission shall make the necessary security arrangements.

21. The Parties agree immediately to ask the Secretary-General of the United Nations to send a preliminary mission as soon as possible to prepare, in coordination with the Parties, the establishment of the mission at the earliest possible date, and to evaluate the financial and technical needs essential for verification of the agreement on human rights.

Cooperation of the Parties with the verification mission

22. The Parties undertake to provide their broadest support to the mission and, to that end, they pledge to provide it with whatever cooperation it may need in order to carry out its functions; in particular to see to the safety of members of the mission and of persons submitting complaints or giving testimony to the mission.

23. The international verification carried out by the mission shall be carried out within the framework of the provisions of the present agreement. Any situation that may arise regarding the scope of the agreement shall be resolved by means of the talks provided for in paragraph 8 above.

XI. FINAL PROVISIONS

1. The present agreement shall enter into force as from the date of its signature by the Parties.

2. The present agreement shall form part of the firm and lasting peace agreement.

3. A copy of the present agreement shall be transmitted by the Parties to the Secretary-General of the United Nations and to the Counsel for Human Rights.

4. The present agreement shall be widely disseminated throughout Guatemala, in the Spanish and indigenous languages. This task shall be the responsibility of the Counsel for Human Rights and the relevant government offices.

Done at Mexico, D.F. on 29 March 1994.

For the Government of the Republic of Guatemala

(Signed)

Héctor ROSADA GRANADOS

(Signed)

Antonio F. ARENALES FORNO

(Signed)

Mario PERMUTH

(Signed)

Ernesto VITERI ECHEVERRIA

(Signed)

General Carlos Enrique PINEDA CARRANZA

(Signed)

General Julio Arnoldo BALCONI TURCIOS

(Signed)

General José Horacio SOTO SALAN

For the Unidad Revolucionaria Nacional Guatemalteca

General Command

(Signed)

Commander Pablo MONSANTO

(Signed)

Commander Gaspar ILOM

(Signed)

Commander Rolando MORAN

(Signed)

Carlos GONZALES

Political and Diplomatic Commission

(Signed)

Luis Felipe BECKER GUZMAN

(Signed)

Francisco VILLAGRAN MUÑOZ

(Signed)

Miguel Angel SANDOVAL VASQUEZ

(Signed)

Mario Vinicio CASTAÑEDA PAZ

For the United Nations

(Signed)

Marrack GOULDING
Under-Secretary-General

(Signed)

Jean ARNAULT
Moderator

Annex II

Agreement on a timetable for negotiations of a firm and lasting peace in Guatemala

Reiterating the decision stated in the Framework Agreement of 10 January 1994 (A/49/61-S/1994/53, annex), to negotiate on all the items included in the general agenda adopted in Mexico in April 1991,

Reaffirming their commitment to arrive at a firm and lasting peace agreement within the shortest possible time during 1994,

Reaffirming the role which must be played by the Assembly representing society at large in discussion of the substantive issues on the agenda,

The Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca, hereafter referred to as "the Parties", hereby agree:

1. To establish the following timetable for discussion of outstanding items on the agenda for the negotiations as a guide for the continuation of their work:

May 1994. negotiations on the item: Resettlement of the population uprooted by the armed confrontation. Signing of agreement.

June 1994. negotiations on the item: Identity and rights of indigenous peoples. Signing of agreement.

July 1994. negotiations on the item: Socio-economic aspects and agrarian situation. Signing of agreement.

August 1994. negotiations on the item: Strengthening of civilian power and role of the army in a democratic society.

September 1994. negotiations on the items: Bases for the reintegration of Unidad Revolucionaria Nacional Guatemalteca in the political life of Guatemala and agreement on a definitive cease-fire. Signing of three preceding agreements.

October 1994. negotiations on the item: Constitutional reforms and electoral regime. Signing of agreement.

November 1994. negotiation on the item: Schedule for the implementation, enforcement and verification of the agreements. Signing of agreement.

December 1994. Signing of a firm and lasting peace agreement and start of demobilization.

2. Depending on requirements for ensuring the success of negotiations, the Parties may agree on adjustments to the present timetable.

3. The moderator, in consultation with the Parties, shall set the specific date of each of the negotiating rounds. Similarly, he shall set, in consultation with the Parties and the President of the Assembly representing society at large, the most appropriate dates for holding special sessions so that the Assembly's recommendations and guidelines on substantive issues may reach the Parties in good time.

4. In accordance with the provisions of the Framework Agreement of 10 January 1994, the Parties shall take these recommendations and guidelines into consideration.

5. As basic documents for the negotiations on the substantive issues, the Parties agreed to use, in their original or updated form, the documents entitled "A just and democratic peace: content of the negotiation" published by Unidad Revolucionaria Nacional Guatemalteca in May 1992, and "Peace is not just the absence of war but the creation of all the conditions which enable man to live without anxiety or fear" published by the Government of Guatemala in June 1992. The Parties shall submit their proposals in good time so that the other Party can consider them and so that they can be discussed at the corresponding rounds.

6. The Parties reiterate the desirability of resorting to all measures that will be conducive to rapprochements and agreements between them, and agree to respond to the initiatives made by the moderator in this respect.

Done at Mexico, D.F., on 29 March 1994

For the Government of the Republic of Guatemala

(Signed)

Héctor ROSADA GRANADOS

(Signed)

Antonio F. ARENALES FORNO

(Signed)

Mario PERMUTH

(Signed)

Ernesto VITERI ECHEVERRIA

(Signed)

General Carlos Enrique PINEDA CARRANZA

(Signed)

General Julio Arnoldo BALCONI TURCIOS

(Signed)

General José Horacio SOTO SALAN

For the Unidad Revolucionaria Nacional Guatemalteca

General Command

(Signed)

Commander Pablo MONSANTO

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Commander Gaspar ILOM

(Signed)

Commander Rolando MORAN

(Signed)

Carlos GONZALES

Political and Diplomatic Commission

(Signed)

Luis Felipe BECKER GUZMAN

(Signed)

Francisco VILLAGRAN MUÑOZ

(Signed)

Miguel Angel SANDOVAL VASQUEZ

(Signed)

Mario Vinicio CASTAÑEDA PAZ
Adviser

For the United Nations

(Signed)

Marrack GOULDING
Under-Secretary-General

(Signed)

Jean ARNAULT
Moderator

Annex III

Joint Statement by the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca

In order to facilitate the signing of the agreement on human rights, a historic achievement in the Guatemala peace process, the Parties have decided that consideration of the item regarding the Commission to look into human rights violations during the armed confrontation shall be concluded at a special session of the negotiations, without prejudice to existing rapprochements on the subject. For that purpose, the Parties have asked the Moderator to proceed with the consultations that may be necessary and to convene said special session in the month of May 1994.

(Signed)

Héctor ROSADA GRANADOS
Coordinator of the Commission
for Peace of the Government
of Guatemala

(Signed)

Pablo MONSANTO
Coordinator of the Delegation
of the Unidad Revolucionaria
Nacional Guatemalteca

(Signed)

Jean ARNAULT
Moderator

UNITED
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General Assembly
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20 April 1994

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GENERAL ASSEMBLY
Forty-eighth session
Agenda item 114 (b)
HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

SECURITY COUNCIL
Forty-ninth year

Letter dated 18 April 1994 from the Chargé d'affaires a.i. of the Permanent Mission of Azerbaijan to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of a statement by the Ministry of Foreign Affairs of the Azerbaijani Republic issued on 15 April 1994.

I should be grateful if you would have the present letter and its annex circulated as a document of the forty-eighth session of the General Assembly, under agenda item 114 (b), and of the Security Council.

(Signed) Yashar T. ALIYEV
Chargé d'affaires a.i.

ANNEX

Statement issued by the Ministry of Foreign Affairs of Azerbaijan on 15 April 1994

[Original: Russian]

On 16 February 1994, the press service of the Ministry of Foreign Affairs of the Republic of Armenia issued a statement in which the Armenian side officially acknowledged that it had shot eight Azerbaijani prisoners, with the comment that they had been killed during an attempt to escape.

On 23 March 1994, thanks to the efforts of the International Committee of the Red Cross, the corpses of 10 Azerbaijani nationals were transported from Armenia to Azerbaijan. These bodies were examined by a commission of forensic experts of the union of practical sciences "Forensic Examinations and Pathological Anatomy" which is part of the Ministry of Health of Azerbaijan.

On 7 and 8 April 1994, Professor Derek Paunder, an independent forensic expert from Scotland, carried out a second forensic examination, which confirmed the findings of the Commission of the Azerbaijani Ministry of Health. Professor Paunder is a member of 10 international associations and societies concerned with forensic medicine and pathological anatomy, including an American association of medical experts, the Presidium of the International Academy of legal and social medicine, and a British organization of doctors for human rights. The findings of the Azerbaijani and the independent Scottish forensic experts confirmed the assumption about the premeditated and deliberate killing of the prisoners, six of whom were killed by shots fired at close range at the temple. Three of the prisoners had had the cochlear part of the ear torn off. The internal organs (liver, spleen, heart) of one of the prisoners were missing.

The Ministry of Foreign Affairs of the Azerbaijani Republic expresses its profound indignation at the inhuman and repulsive acts by the Republic of Armenia and urges the world community as a whole, and all international organizations, to condemn this further act of vandalism against the Azerbaijani prisoners of war, which shows flagrant disregard for the 1949 Geneva Conventions for the protection of war victims, and especially the Geneva Convention relative to the Treatment of Prisoners of War, and to demand that the official authorities of the Republic of Armenia desist forthwith from such acts and cease reprisals against Azerbaijani hostages and prisoners of war. The number of these today stands at 3,736 people (of whom, on 15 March, 1,535 were prisoners of war, and the rest old men, women and children). They are being held in Armenian territory and in the Armenian-occupied Nagorny Karabakh region of the Azerbaijani Republic.

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GENERAL ASSEMBLY
Forty-eighth session
Agenda item 42
THE SITUATION IN BOSNIA
AND HERZEGOVINA

SECURITY COUNCIL
Forty-ninth year

Letter dated 23 April 1994 from the Permanent Representative of Bosnia and Herzegovina to the United Nations addressed to the Secretary-General

As of 16.30 (CET), 23 April 1994, the shelling attacks on Gorazde have resumed with new intensity. The hospital has been directly hit three times. Serbian infantry probes into the city have been increased. Snipers are positioned above residential areas. Approximately 60-100 shell impacts are being recorded every hour.

Accurate casualty counts are difficult, but the authorities in Gorazde estimate that over 100 persons have been killed and a substantially greater number wounded since North Atlantic Treaty Organization (NATO) and the United Nations issued their ultimatum yesterday evening. There obviously is no Serbian intention to honour their cease-fire or your ultimatum. It is clear they are intent on taking the town centre and strategic roads. Those that have the authority and the responsibility cannot and should not avoid or delay their commitment.

May I ask for your kind assistance in circulating this letter as a document of the forty-eighth session of the General Assembly, under agenda item 42, and of the Security Council.

(Signed) Muhamed SACIRBEY
Ambassador
Permanent Representative

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